

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

INITIAL STATEMENT OF REASONS

Hearing Date: N/A

Subject Matter of Proposed Regulations: Continuing Professional Development Revisions

Amend Sections 1399.151.1, Title 16, Division 13.4, Article 1 & 1399.160.2, 1399.160.3, 1399.160.4, 1399.160.5, 1399.160.6, 1399.160.9, & 1399.160.10, Title 16, Division 13.4, Article 11

Specific Purpose of each adoption, amendment, or repeal:

Section 1399.151.1. (Amend)

Amends the existing section to add processing and review timelines for voluntary petitions for continuing professional development course review and approval which may be submitted by licensees or continuing professional development providers who are seeking Board endorsement for a particular course.

Section 1399.160.2. (Amend)

Amends the existing section to specify the maximum number of self-study course hours, related course hours, and indirect client care course hours that a licensee may accrue to meet the total number of continuing professional development hours required of a licensee during his or her initial license renewal period.

Section 1399.160.3. (Amend)

Amends the existing section to specify the maximum number of self-study hours, related course hours, and indirect client care hours that a license may accrue to meet the required number of continuing professional development hours for each renewal period. The amendments also provide the maximum accrual of such hours for licensees holding both a speech-language pathology and audiology license. In addition, the amendments to this section places a new limit on the number of continuing professional development hours that a licensed audiologist may accrue from courses that focus on equipment or products from a particular publisher or company. The proposed amendments to this section would limit a licensee from applying the same continuing professional development course offering toward license renewal requirements more than one time, even if the course is taught or offered over multiple renewal periods; thus, upholding the intent of continued professional growth.

Section 1399.160.4. (Amend)

Amends the existing section to place the onerous of determining the relevance of the continuing professional development course content and learning outcomes on the licensee and not the provider of the course. The amendments to subsection (c) add examples of each category of continuing professional development courses and provides for a definition of courses that are deemed “related” courses. The proposed amendments provide more concise and consistent

guidelines for courses that are considered outside the scope of continuing professional development.

Section 1399.160.5. (Amend)

Includes a conversion for the number of continuing professional development hours that will be credited for each academic trimester unit earned.

Section 1399.160.6. (Amend)

Amends the existing section to provide for a process wherein licensees or providers may voluntarily petition the Board to review and approve a continuing professional development course. In this way, the Board may assist its licensees with determining the applicability of a professional course offering to the established license renewal requirements.

Section 1399.160.9. (Amend)

Amends the continuing professional development course advertising requirements to include a statement regarding the proposed learning outcomes. Learning outcomes have become a standard measure to assess the educational focus of a course offering.

Section 1399.160.10 (Amend)

Amends the course instructor qualifications to include one who holds current certification from the American Board of Audiology, thereby creating consistency with existing provisions that acknowledge the certification merits of another counterpart professional organization.

Factual Basis/Rationale

Factual basis for determination that each proposed change is necessary:

Business and Professions Code 2532.6 establishes the minimum continuing education requirements in order to ensure the public of professional competence. After several continuing professional development audits, it became apparent that the regulations needed to be more clearly defined as the interpretation and the application of existing provisions were inconsistent amongst the professional community. The existing regulations allow a licensee to obtain 8 hours of the required 24 hours of continuing professional development to be in self-study. The proposal amends this maximum and limits self-study to 4 hours while authorizing an additional 4 hours to be obtained in related courses and/or indirect client care courses that cover broader issues, including but not limited to, health care, educational, behavioral, and legal or managed care topics. The proposed amendment provides definitions and examples of each type of continuing professional development course offering: direct client care, related, and indirect client care as well as establishes the number of hours that may be accumulated in each area. The authorization to accrue continuing professional development hours in various types of course offerings enables licensees to participate in a broader scope of continuing professional development as well as acknowledges the overlap in the health disciplines. The proposal serves to maintain a core number of hours that must be obtained through practice specific course offerings and does not increase the total number of continuing professional development hours that must be accrued for each license renewal period.

Senate Bill 1913 (SB 1913) enacted in 2004 established the authority of the Board to approve continuing professional development courses, provided the Board has secured the administrative resources necessary to implement the course review process. It has since been determined that the Board does not have sufficient funding and staff resources necessary to review each individual course being offered for continuing professional development. As such, the Board determined that careful revisions to the existing continuing professional development course content criteria would resolve much of the existing misinterpretation issues and assist licensees in complying with the license renewal mandates. Further, an amendment to the existing regulations will enable a licensee or continuing professional development provider to voluntarily petition the Board for consideration of individual courses with instructions and timelines for the petition process.

The Board has proposed to amend the existing regulations transferring the responsibility to the licensee for ensuring that the content and learning outcomes of a course are in compliance with the continuing professional development requirements, instead of placing such onerous on the provider of a course. Course providers often develop continuing education courses for a broad audience and, as such, should not be accountable to ensure that the content of such courses meet the mandates imposed on any one health professional. The Board also proposes to amend existing regulations to specify that audiologists may not obtain more than 50% of the requisite continuing professional development hours from courses where the content focuses on equipment, devices, or other products of a particular publisher, company or corporation, in this way encouraging audiologists to spend at least 50% of their continuing professional experiences being exposed to course offerings that pertain to audiologic diagnostics and rehabilitation.

Underlying Data

Technical, theoretical or empirical studies or reports relied upon (if any): None

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

To continue with the Board's regulations as they are currently written. This alternative was rejected. Existing regulatory language has proven confusing for licensees and providers to interpret and further to comply with. Further, the existing regulations do not clearly differentiate between course content that is directly applicable to the discipline of the license and that which may have a more indirect, yet vital, relationship to the general quality of care provided by the

licensed practitioner to a patient and/or client. Further, existing regulations do not provide for a mechanism wherein licensees or providers may request the Board to review a continuing professional development course to ensure that the course content is relevant and acceptable towards license renewal requirements. The Board believes the proposed amendments provide essential clarity to the continuing professional development program and assist licensees in meeting the established licensing mandates of life-long professional learning.